

**FILED**

JUN 15 2012

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Chattanooga

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at Chattanooga

LYNN M. LANE,

Plaintiff,

v.

NATIONWIDE MUTUAL FIRE  
INSURANCE COMPANY,

Defendant.

Civil Action No. 1:12-cv-191

Judge Collier /Magistrate Carter

**NOTICE OF REMOVAL**

Defendant, Nationwide Mutual Fire Insurance Company ("Nationwide"), files this Notice of Removal of all issues and matters pending therein and for grounds would show unto the Court the following:

1. On April 9, 2012, a complaint was filed against the defendant in the Circuit Court for Hamilton County, Tennessee, entitled *Lynn M. Lane v. Nationwide Mutual Fire Insurance Company*.

2. Upon receiving the complaint, the Honorable Clerk for the Hamilton County Circuit Court assigned the lawsuit thereby initiated Docket Number 12 C 473 and issued process for service upon the defendant.

3. The Department of Commerce and Insurance of the State of Tennessee was served on April 13, 2012, but did not forward process to the defendant c/o its registered agent, CT Corporation, until May 15, 2012. In accordance with the requirements of

28 U.S.C. § 1446, this Notice of Removal is filed within thirty (30) days after the receipt by defendant, through service or otherwise, of the complaint.

4. A copy of all process, pleadings and orders filed in the State proceeding is attached hereto as collective Exhibit A.

5. The cause of action alleged by the complaint is a cause of action over which this Court has jurisdiction under the provisions of 28 U.S.C. § 1332, in that it is a civil action wherein the matter in controversy is reasonably expected to exceed the sum or value of \$75,000.00, exclusive of interest and costs, and is between citizens of different states, and it is, therefore, removable pursuant to 28 U.S.C. § 1441.

6. The complaint filed by plaintiff does not seek a specified amount of damages; however, paragraph 7 of the complaint alleges a total loss of plaintiff's home and contents. The policy of insurance issued by Nationwide to plaintiff contained the following declared policy limits of coverage:

Coverage A - \$192,600  
Coverage B - \$ 19,260  
Coverage C - \$134,802  
Coverage D - \$192,600

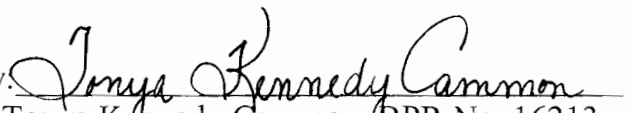
7. The plaintiff was, at the time this action was commenced, and is at the present, a citizen and resident of the State of Tennessee.

8. The defendant was, at the time this action was commenced, and is at the present time, a corporation incorporated under the laws of the State of Ohio with its principal place of business in the State of Ohio.

WHEREFORE, defendant prays that the above action now pending against it in the Circuit Court for Hamilton County, Tennessee be removed to this, the United States District Court for the Eastern District of Tennessee, at Chattanooga.

Respectfully submitted,

GRANT, KONVALINKA & HARRISON, P.C.

By:   
Tonya Kennedy Cammon, BPR No. 16213  
Attorneys for Defendant  
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**CERTIFICATE OF SERVICE**

I hereby certify that an exact copy of this pleading has been mailed with first class postage prepaid to the following;

William R. Dearing, Esq.  
Jeffrey G. Granillo, sq.  
Chambliss, Bahner & Stophel, P.C.  
1000 Tallan Building  
Two Union Square  
Chattanooga, Tennessee 37402

This 15<sup>th</sup> day of June, 2012.



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